

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, September 21, 2005
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

BRIEFING SESSION

Attendance:

Mayor Janice Auger

Council Members:

Chairman Russ Wall
Vice-Chairman Morris Pratt
Council Member Jerry Rechtenbach
Council Member Les Matsumura

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Virginia Loader, City Recorder
Robin Kishiyama, Council Coordinator
Mark McGrath, Community Development Director
Larry Marx, Chief of Police

Excused: Council Member Bud Catlin

BRIEFING SESSION

Chairman Russ Wall conducted the Briefing Session, which convened at 6:05 p.m. The Council reviewed the Administrative Report for the Community Development Department, after which the agenda was discussed.

Council Member Morris Pratt **MOVED** to meet in Closed Session to discuss Pending or Reasonably Imminent Litigation at 6:25 p.m. Council Les Matsumura **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-excused, Pratt-yes, Wall-yes, and Matsumura-yes. **All members of the City Council were in favor and the motion carried by a unanimous vote.**

CLOSED SESSION

Minutes for the Closed Session were recorded and are now on file.

Council Member Jerry Rechtenbach **MOVED** to adjourn the Closed Session at 6:32 p.m. Council Member Les Matsumura **SECONDED** the motion. Chairman Russ Wall called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Rechtenbach-yes, Catlin-excused, Pratt-yes, Wall-yes, and Matsumura-yes. **All members of the City Council voted and the motion carried by a unanimous vote.**

REGULAR MEETING

Attendance:

Mayor Janice Auger

Council Members:

Chairman Russ Wall
Vice-Chairman Morris Pratt
Council Member Jerry Rechtenbach
Council Member Les Matsumura

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Mark McGrath, Community Development Director
Virginia Loader, City Recorder
Robin Kishiyama, Council Coordinator
Larry Marx, Chief of Police

Excused: Council Member Bud Catlin

Citizens: Nick Johnson, Connie Taney, Sheri Argyle, Chra Miller, Larry Hillard, Harvey Shell, Charles Bryant, Jolene Dearden, Zell Rae Seely, Les Seely, Shauna Scott Peterson, Chet Nichols, Harlan Christmas, John Gidney, Dean Williams, Keith Huston, Kristie Overson, Gerald Grove, Jack Lucas, Katie Larsen, E Wallace, Beverly Nelson, Dama Barbour, Don and Kristie Christensen

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:34:20 Chairman Russ Wall called the meeting to order at 6:33 p.m. and welcomed those in attendance. He welcomed Nick Johnson, son of City Council Coordinator Robin Kishiyama. Mr. Wall then reviewed the Citizen Comment Procedures for the audience.

1.1 Pledge of Allegiance – Opening Ceremonies – *John Inch Morgan*

18:35:56 City Administrator John Inch Morgan, directed the Pledge of Allegiance.

**1.2 Reverence – Mayor Auger (Opening Ceremonies
for October 5, 2005 to be arranged by Council Member Rechtenbach)**

18:36:18 Mayor Janice Auger offered the Reverence.

1.3 Citizen Comments

18:38:49 Chairman Russ Wall excused Council Member Bud Catlin. He then called for any citizen comments.

18:38:54 **Larry Hillard, The Friends of Vista Park**, addressed the City Council and said that he has submitted a petition to the City Recorder that states “I support keeping Vista Park intact and oppose any development that will diminish the park’s green space or that will add to traffic flow on residential streets surrounding the park.”

Mr. Hillard said that he does favor adding amenities that will enhance the park’s general appeal and functionality, such as shaded picnic tables and more trees. He said that he has heard from his neighbors that baseball is a bad neighbor because it imposes on the neighborhood.

Mr. Hillard said that he will provide a detailed summary of a survey this group has conducted regarding the park. He then said that he sees no reason why their neighborhood should be inconvenienced for the convenience of others. He stated that a city that does not protect its neighborhoods is not a city worth living in. He said then said that the Friends of Vista Park are not willing to drop this issue and asked how they should proceed.

18:45:19 Chairman Wall responded to Mr. Hillard’s comments and said that the 2700 West facility has not been offered to Little League.

18:45:44 Mr. Hillard addressed questions and comments from the City Council.

18:47:21 Chairman Wall noted that Mr. Hillard is doing what he should be doing by being active, attending meetings, involving the neighbors and expressing their concerns.

18:47:48 Mayor Auger reported that Administration is gathering a list of interested persons in order to follow up with them when this issue is discussed further.

18:50:47 Morris Pratt recommended that notifications be expanded to all those concerned when this issue is discussed.

1.4 Mayor's Report

Mayor Auger reported that the South Valley Sewer District is building a Wastewater Treatment Facility in Riverton. She said that a draft report prepared for the South Valley Sewer District has been filed with the City Recorder and is available for their review.

18:53:27 Mayor Auger then reported that, through the efforts of the Unified Fire Authority (UFA), a defibrillator will be provided to every member city for their city buildings. She said that training will also be provided to key personnel.

18:54:58 Mayor Auger reported that the UFA also has new mechanical CPR equipment and there will be equipment in every rescue unit.

18:56:33 The Mayor relayed that the local USAR team that was deployed to Mississippi in response to Hurricane Katrina has now been deployed to Houston, Texas in response to Hurricane Rita. She said that a slide show presentation from the Mississippi rescue could be arranged for a Work Session.

18:57:23 Mayor Auger reported on the recently passed LUDMA legislation. She said that at the recent Utah League of Cities and Towns (ULCT) Conference, it was taught that there are ten key actions that have been strongly recommended for city implementation. She said that City Attorney John Brems has been asked to look at those ten key action items to ensure the City is making an effort to comply.

18:58:30 The Mayor addressed the redevelopment of Meadow Brook Golf Course. An Open House regarding this issue will be held within the next two or three weeks. She will notify the Council when she knows of the scheduled time and date.

2. REPORTS

2.1 Courts – Sheri Argyle

18:59:32 Sheri Argyle referenced a written report that was submitted to the City Council prior to the meeting. She then announced that Substance Abuse graduation will be held on October 25, 2005.

2.2 Prosecution – Lohra Miller

19:01:38 Lohra Miller referenced a written report that was submitted to the City Council prior to the meeting. She then addressed comments and questions from the City Council.

2.3 Presentation of the Final Draft Master Plan for the Taylorsville/Bennion Heritage Center – *Jill Jones, AJC Architects*

19:16:44 Jill Jones, AJC Architects, addressed the City Council and stated that the Final Draft Master Plan for the Taylorsville/Bennion Heritage Center is ready for the Council's approval.

19:19:26 Chairman Wall said that the Master Plan for the Taylorsville/Bennion Heritage Center will be placed on the October 5th City Council Meeting Agenda for approval.

Mr. Wall then asked Council Coordinator Robin Kishiyama to arrange the Unified Fire Authority demonstrations and presentation at the October Work Session.

3. APPOINTMENTS

3.1 Eldon Lee – Ordinance Review Committee – *Chairman Wall*

19:20:59 Chairman Russ Wall recognized Eldon Lee and nominated him to serve on the Ordinance Review Committee.

Council Member Morris Pratt **MOVED** to appoint Eldon Lee as a member of the Ordinance Review Committee. Council Member Les Matsumura **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Rechtenbach-yes, Catlin-excused, Pratt-yes, Wall-yes, and Matsumura-yes. **All City Council members voted in favor and the motion passed unanimously.**

3.2 Toni D. Lenning – Leisure Arts Recreation and Parks Committee – *Chairman Wall*

3.4 Anna Vacova – Leisure Arts Recreation and Parks Committee – *Chairman Wall*

19:22:00 Chairman Russ Wall nominated Toni D. Lenning and Anna Vacova to serve on the Leisure Arts and Parks Committee, pending finalization of Anna Vacova's application.

Council Member Jerry Rechtenbach **MOVED** to appoint Toni D. Lenning and Anna Vacova as members of the Leisure Arts and Parks Committee. Council Member Morris Pratt **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Rechtenbach-yes, Catlin-excused, Pratt-yes, Wall-yes, and Matsumura-yes. **All City Council members voted in favor and the motion passed unanimously.**

3.3 Tammy Robinson – Leisure Arts Recreation and Parks Committee – *Mayor Auger*

19:22:47 Mayor Auger nominated Tammy Robinson to serve on the Leisure Arts and Parks Committee.

Council Member Les Matsumura **MOVED** to appoint Tammy Robinson as a member of the Leisure Arts and Parks Committee. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a vote. The vote was as follows: Rechtenbach-yes, Catlin-excused, Pratt-yes, Wall-yes, and Matsumura-yes. **All City Council members voted in favor and the motion passed unanimously.**

It was noted that the nominators for the above mentioned applicants were listed erroneously on the agenda but the applications were submitted correctly.

4. CONSENT AGENDA

5. PLANNING MATTERS

5.1 Discussion of Appeal Filed by Mr. Jack Lucas Regarding Certain Conditions of Planning Commission Preliminary Approval for a Planned Unit Development (PUD) Known as Winchester Overlook Located at 6615, 6647 South at 1300 West – *Mark McGrath*

19:24:47 Community Development Director Mark McGrath explained that the Taylorsville Planning Commission voted on August 23, 2005 to grant preliminary approval of a conditional use permit (CUP) to construct a residential Planned Unit Development in the area known as Winchester Overlook. Mr. McGrath relayed that, following that public hearing, the applicant considered certain conditions of approval too onerous or unnecessary and filed a letter of appeal to the City Council requesting amendment of certain conditions. Mr. McGrath described the specific conditions that are being appealed.

19:38:18 Jack Lucas, applicant, addressed the City Council and said that of the twenty-two conditions imposed by the Planning Commission, he is only concerned with two of them, which were stated in his letter of appeal.

19:42:20 Chariman Wall stated the following three options of the City Council:

- Reaffirm Planning Commission decision without further public hearing.

- Remand the request for appeal back to the Planning Commission for further consideration.
- Set a future City Council Public Hearing date that allows for a written notice to be delivered to the Planning Commission at least fourteen days preceding the date of hearing.

19:42:46 Council Member Jerry Rechtenbach **MOVED** to set a Public Hearing date to hear the appeal brought forth at the first date possible (Third Wednesday in October). Council Member Les Matsumura **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a vote. **All City Council members present voted in favor and the motion passed unanimously.**

19:45:34 In order to expedite the process, Council Member Les Matsumura **MOVED** to schedule a Special City Council Meeting prior to the Work Session that will be held on October 12, 2005. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a vote. **All City Council members present voted in favor and the motion passed unanimously.**

6. FINANCIAL MATTERS

6.1 Resolution No. 05-44 – Accepting a Grant Application in the Amount of \$5,000.00 to the Utah Commission on Criminal and Juvenile Justice for a Crisis Intervention Program – Chief Marx

19:46:21 Taylorsville Police Chief Larry Marx presented the subject resolution regarding a federal grant in the amount of \$5,000.00 for a program that identifies citizens of Taylorsville who are affected with mental health issues and who abuse the emergency services of Police and Fire. Chief Marx explained that this program should reduce the calls for service by those affected and provide better service to the public of Taylorsville City.

19:50:24 Council Member Morris Pratt **MOVED** to adopt Resolution No. 05-44 Accepting a Grant Application in the Amount of \$5,000.00 to the Utah Commission on Criminal and Juvenile Justice for a Crisis Intervention Program. Council Member Les Matsumura **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-excused, Pratt-yes, Wall-yes, and Matsumura-yes. **All City Council members present voted in favor and the motion passed unanimously.**

6.2 Resolution No. 05-45 – Accepting a Grant Application in the Amount of \$32,580.00 from the State of Utah Office of Crime Victim Reparation for a

VOCA Victim Assistance Grant and Approve an Allocation for a Domestic Violence Advocate – *Chief Marx*

19:51:20 Taylorsville Police Chief Larry Marx said that his staff prepares and submits these grants, which is representative of their commitment to these programs. Chief Marx then presented the subject resolution regarding a grant in the amount of \$32,580.00 from the State of Utah Office of Crime Victim Reparation for a VOCA Victim Assistance Grant. The grant is to fund a Domestic Violence Advocate to work with the Police Department, Court and victims of domestic violence. Chief Marx cited local statistics for domestic violence and noted that this grant will provide a valuable resource to victims, the Police Department, and Prosecution.

19:53:54 Lohra Miller, City Prosecutor, spoke in support of the Crime Victim Advocate program.

20:02:51 Council Member Les Matsumura **MOVED** to adopt Resolution No. 05-45. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Wall called for discussion on the motion. 20:03:06 Mr. Wall then explained that a correction will be made to the resolution making all dollar amounts \$32,580.00. He then called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-excused, Pratt-yes, Wall-yes, and Matsumura-yes. **All City Council members present voted in favor and the motion passed unanimously.**

6.3 Resolution No. 05-46 – Accepting a Grant Application in the Amount of \$14,865.00 to the Utah Department of Public Safety for a Safe Highways Program – *Chief Marx*

20:03:46 Taylorsville Police Chief Larry Marx presented the subject resolution regarding a grant application in the amount of \$14,865.00 to the Utah Department of Public Safety for a Safe Highways Program. He said that the City will make an in-kind donation of overtime shifts.

20:07:24 Chief Marx responded to questions and comments from the City Council.

20:08:24 Council Member Jerry Rechtenbach **MOVED** to adopt Resolution No. 05-46. Council Member Morris Pratt **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Catlin-excused, Pratt-yes, Wall-yes, and Matsumura-yes. **All City Council Members present voted in favor and the motion passed unanimously.**

7. OTHER MATTERS

20:09:04 Chairman Wall said that the Council received an invoice from Phillip W. Dyer in the amount of \$627.00. Although approval was received from each Council Member by email, the

Internal Policies of the Council require that “Budgeted expenditures in excess of \$500.00 or for non-routine expenses shall be presented to, and approved by the Council.”

Council Member Morris Pratt **MOVED** to approve payment to Phillip Dyer in the amount of \$627.00. Council Member Jerry Rechtenbach **SECONDED** the motion. Chairman Wall called for discussion on the motion. There being none, he called for a vote. **All City Council members present voted in favor and the motion passed unanimously.**

20:10:42 Council Member Morris Pratt said that he has received visits and calls from residents of Majestic Meadows in regards to the termination of their Waste Management service. The Association is requiring tenants to purchase garbage cans and change the method by which they do garbage pickup. He asked if the City can ensure that the company does it to an acceptable level with no health and safety issues. Mr. Wall replied that the garbage service for Majestic Meadows is not under the jurisdiction of the City.

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

20:12:59

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

20:13:10

- 9.1 Special City Council Meeting – Saturday, September 24, 2005 – 8:00 a.m.
Salt Lake Community College, Student Center Room 219
- 9.2 City Council Briefing Session – Wednesday, October 5, 2005 – 6:00 p.m.
- 9.3 City Council Meeting – Wednesday, October 5, 2005 – 6:30 p.m.

10. CALENDAR OF UPCOMING EVENTS

20:13:41

- 10.1 Primary Municipal Election – Tuesday, October 4, 2005 – Polls Open at 7:00 a.m. to 8:00 p.m.
- 10.2 The Odd Couple – Evenings at the Taylorsville Assembly Hall (1247 W. 4800 S.) – Tuesday, October 4, through Saturday October 8, 2005 - 7:30 p.m.,
Matinee on October 8, 2005 – 2:30 p.m.
- 10.3 Bar J Wranglers – Saturday October 8, 2005 – 7:30 p.m. – Taylorsville High School (5225 So. Redwood Rd.)

11. ADJOURNMENT

20:15:13 Council Member Jerry Rechtenbach **MOVED** to adjourn the City Council Meeting. Council Member Les Matsumura **SECONDED** the motion. Chairman Wall called for

discussion. There being none, he called for a vote. **All City Council members present voted in favor and the motion passed unanimously.** The meeting was adjourned at 8:15 p.m.

Virginia Loader, City Recorder

Minutes approved: CC 10-05-05

Minutes Prepared by: Virginia Loader